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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/083,312

02/25/2002

David Kammer

PALM-3741.US.P

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09/18/2006

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EXAMINER

TRAN, TUAN A

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/083,312

Applicant(s)

KAMMER ET AL.

Examiner

Tuan A. Tran

Art Unit

2682

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
- NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

The Applicant argued that Phillipps does not teach or suggest the limitation of "wherein said establishing bypasses a Bluetooth discovery process" as recited in claim 1 (See Remark, pages 2-5). The Examiner respectfully disagrees with the Applicant's argument because Phillipps page 3 lines 30-34 and page 4 lines 1-2, as cited in the Office Action mailed on 06/12/2006, does clearly show each and every single limitations of claim 1 wherein the establishment of a Bluetooth connection bypasses a Bluetooth discovery process (the user just need to manually select or enter the Bluetooth Device Address from the stored list for establishing connection with other Bluetooth device without going through a device searching process). Further, the claim (claim 1) itself is not narrow enough to prevent the stored Bluetooth device identification, for the establishment of the Bluetooth connection, from being obtained by communications (Bluetooth inquiry process) in the past.


The Applicant argued that Phillipps fails to teach or suggest the limitation of "said device identification is entered by a user of said second handheld computer system" as recited in claim 3 (See Remark, pages 5-6). The Examiner respectfully disagrees with the Applicant's argument because keying a phone number (by depressing 7 to 10 digits) or selecting an entry from the phone directory is a way to enter the phone number to place a call from a mobile communication device and Phillipps does clearly show this limitation (See page 3 line 30 to page 4 line 2).

The Applicant argued that Phillipps fails to teach the limitations of claim 6 (See Remark, pages 6-7). The Examiner respectfully disagrees with the Applicant's arguments because Phillipps does disclose the limitations of claim 6 (See figs. 4-5 and page 4 lines 4-11 and page 5 line 1-10). Further, due to the mobility of the mobile device in the Bluetooth environment (being in-range at the instant time t1 and being out-of-range at the instant time t2), it is necessary to start the inquiry process, in response to a failure of connection establishment, in order to locate the mobile device (See Phillipps, page 3 lines 27-28).

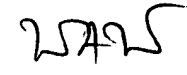
The Applicant argued that Phillipps fails to teach the limitation of "rejecting a Bluetooth communication request" as cited in claim 7 (See Remark, pages 8-9). The Applicant respectfully disagrees with the Applicant's argument because Phillipps does teach the step of rejecting a Bluetooth communication request by displaying error message and terminating the process (See fig. 4).

Upon the Applicant's request (See Remark, pages 9-11), the Examiner would like to present the U.S. Patent No. 6,751,103 issued to Novakov as evidence to show a Bluetooth communication request is either in a form of a page message or an inquiry message (See Novakov, fig. 2 and col. 4 line 58 to col. 5 line 27).

For that reasons, the rejections are proper and stand for all the pending claims.



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